



DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled AN IMPLANTABLE DEVICE FOR PROMOTING REPAIR OF A BODY LUMEN, the specification of which

_____ is attached hereto.

X was filed on August 25, 1999 (Attorney Docket No. MEDIV1120-1)

as U.S. Application Serial No. 09/382,275

and was amended on _____

if applicable (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

| | |
|---------------------------------|----------------------|
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> |
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> |
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> |

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

| | | |
|---------------------------------|------------------------|--------------------------------|
| <u>09/139,084</u> | <u>August 25, 1998</u> | <u>Pending</u> |
| (Application Serial No.) | (Filing Date) | (Status) |
| | | (patented, pending, abandoned) |
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> | <u>(Status)</u> |
| | | (patented, pending, abandoned) |
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> | <u>(Status)</u> |
| | | (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Robert A. Van Tassel

Inventor's signature: 

Date: 10/3/99

Residence: Excelsior, Minnesota

Citizenship: U.S.

Post Office Address: 6420 Bayview Place
Excelsior, MN 55331

Full name of second inventor: David R. Holmes, Jr.

Inventor's signature: 

Date: 10-6-99

Residence: Rochester, MN

Citizenship: U.S.

Post Office Address: 1122-21st Street, N.E.
Rochester, MN 55906

Full name of third inventor: Robert S. Schwartz

Inventor's signature: 

Date: 10/3/99

Residence: Rochester, MN

Citizenship: U.S.

Post Office Address: 1123 Audaz Lane S.W.
Rochester, MN 55902



PATENT
Attorney Docket No.: MEDIV1120-1

In re Application of:)
VanTassel et al.)
)
Application No.: 09/382,275)
)
Filed: August 25, 1999)
)
For: AN IMPLANTABLE DEVICE FOR)
PROMOTING REPAIR OF A BODY)
LUMEN)
)
_____)

POWER OF ATTORNEY BY ASSIGNEE

As a below-named assignee of the above-identified application ("Application"):

I hereby appoint the following attorneys to prosecute the Application and to
transact all business in the United States Patent and Trademark Office connected therewith:

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Registration No. 37,643
Registration No. 40,050
Registration No. 31,238 ✓
Registration No. 35,255
Registration No. 30,298
Registration No. 41,234
Registration No. 31,192
Registration No. 40,825
Registration No. 38,322
Registration No. 38,626
Registration No. 27,774

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Application when officially known.

In re Application of:
VanTassel et al.
Application No.:
Filed: August 25, 1999
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PATENT
Attorney Docket No.: MEDIV1120-1

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By:

Name:

Title:

Date:

Robert A. VanTassel
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11/22/99